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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,877	12/05/2000	Knut Bakke	28170-00011USP1	9349

27045 7590 05/19/2004

ERICSSON INC.
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PLANO, TX 75024

EXAMINER

TRAN, THIEN D

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 05/19/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,877

Applicant(s)

BAKKE ET AL.

Examiner

Thien D Tran

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/222,444.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 6-10, 12-15, 17-21, 23-26 are rejected under 35 U.S.C. 102(e) as being participated by Sallberg (U.S Patent No. 6,137,783).

Regarding claims 1, Sallberg discloses a method for handing over of a connection from a first serving GPRS support node (SGSN) to a second SGSN in response to an inter SGSN routing area update the method comprising the steps of:

operating the old MPDS (first SGSN) as a temporary anchor in response to the inter SGSN routing area update, col.8 lines 20-25; and

forwarding context messages (redirecting signaling traffic) to and from the new MPDS (second SGSN) via the old MPDS (first SGSN) while the old MPDS is operating until the expiration of time at which MT being served by the old MPDS (as the temporary anchor), col.8 lines 30-35, figure 7.

Regarding claims 2, 13, Sallberg discloses the step of initiating the inter MPDS (SGSN) routing area update in response to a mobile station moving from a old MPDS

service area associated with the old MPDS to a new MPDS service area associated with the New MPDS, col.8 lines 20-25.

Regarding claims 3, 14, Sallberg discloses the step of redirecting further comprises the step of establishing a temporary leg between the old MPDS and the new MPDS, col.8 line 34.

Regarding claims 4, 15, Sallberg discloses the step of redirecting further comprises the step of redirecting the signaling traffic from the old MPDS to the new MPDS via the temporary leg, col.9 lines 3-10.

Regarding claims 6, 17, Sallberg discloses the step of transferring connection control from the old MPDS to the new MPDS in response to the connection being maintained by the first old MPDS entering an end of handoff (a standby state), col.8 lines 34-35.

Regarding claims 7, 18, Sallberg discloses the step of transferring further comprises the step of performing the inter MPDS routing area update between a Gateway GPRS support node (GGSN) and the second MPDS, col.3 lines 60-65, col.5 lines 40-50.

Regarding claims 8, 19, Sallberg discloses the step of transferring connection control is performed using LLC – layer 2 (without interrupting layer 3) procedures and data transmission, col.7 lines 55-65.

Regarding claims 9, 20, Sallberg discloses the step of releasing the connection of the old MPDS (temporary leg) in response to completion of the transfer of connection control from the old MPDS to the new MPDS, figure 7.

Regarding claims 10, 21, Sallberg discloses the step of communicating subsequent signaling traffic directly between a Gateway GPRS support node (GGSN) and the new MPDS without redirecting the subsequent signaling traffic via the old MPDS, the subsequent signaling traffic occurring after the release of the temporary leg, col.8 lines 30-35, figure 7.

Regarding claim 12, Sallberg discloses system for handing over of a connection between at least two GPRS nodes in response to an inter MPDS (SGSN) routing area update, the system comprising:

- a old MDPS operating as a temporary anchor in response to the inter MPDS routing area update, col.8 lines 20-25; and

- a new MPDS in communication with the old MPDS, the old MPDS redirecting signaling traffic to and from the new MPDS via the old MPDS while the MPDS is operating as the temporary anchor, col.8 lines 30-35, figure 7.

Regarding claim 23, Sallberg discloses a method for handing over of a connection between GPRS support nodes (SGSN), the method comprising the steps of

- receiving a routing update;

- forming a temporary leg between an old and a new MPDS (SGSN) after receiving the routing update; and redirecting signaling traffic across the temporary leg, figure 7.

Regarding claims 24, 25, Sallberg discloses releasing connection associated with the old MPDS (the temporary leg); and communicating subsequent payload traffic between a GPRS and and the new MPDS, col.8 lines 30-40.

Regarding claim 26, Sallberg discloses communicating a context forward message from the old MPDS (SGSN) to the new MPDS; receiving a context forward acknowledgment from the new SGSN; and releasing the temporary leg after receiving the context forward acknowledgment, figure 7.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5, 11, 16, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sallberg (U.S Patent No. 6,137,783) in the view of Nevo et al (U.S Patent No. 6,320,873 B1).

Regarding claims 5, 16, Sallberg discloses the step of establishing the temporary leg comprises the step of establishing a channel for the update routing context or URC accept between the old MPDS and the new MPDS, figure 7. Sallberg does not disclose that the channel is a Gb interface. Nevo discloses that Gb channel interface is used for transferring signaling and data information between base stations, col.2 lines 45-50. Therefore, it would have been obvious on one having ordinary skill in the art to use Gb channel interface in the channel between MPDSs so that the system of Sallberg can effectively use the GSM standard Gb interface in communication.

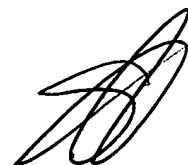
Regarding claim 11, 22, Sallberg does not disclose the steps of allowing subscriber charge transactions to be completed towards a billing gateway before performing the step of transferring connection control to the new MPDS. Nevo discloses the step used for calculating bills and charges toward a MS (subscriber) in the GSM system having SGSN nodes, col.8 lines 50-60. Therefore, it would have been obvious to one having ordinary skill in the art to include the feature of billing to charge for network enhancement's cost in the system of Sallberg so that the network can provide services for users with expensive equipments and resources.

Conclusion

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (703) 308-4388. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thien Tran



STEVEN NGUYEN
PRIMARY EXAMINER